

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

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|--|---|--------------------|
| INTELLECTUAL VENTURES I LLC, <i>et al.</i> , |) | |
| |) | |
| <i>Plaintiffs</i> |) | |
| |) | |
| v. |) | Case No. 1:13cv740 |
| |) | (AJT/TCB) |
| CAPITAL ONE FINANCIAL CORP., <i>et al.</i> , |) | |
| |) | |
| <i>Defendants</i> |) | |

**NEWLY ADDED COUNTER-DEFENDANTS'
RULE 12 RESPONSE AND JOINDER IN PLAINTIFFS'
MOTIONS TO DISMISS AND TO STAY ANTITRUST CLAIMS AND DEFENSES**

Pursuant to Rule 10(c) and 12 of the Federal Rules of Civil Procedure, newly added “Additional Counter-Defendants”—that is, Intellectual Ventures Management, LLC, Invention Investment Fund I, L.P., Invention Investment Fund II, LLC, Intellectual Ventures Fund 83 LLC (together, “New Intellectual Ventures Parties”—respond to Defendants’ amended answer and counterclaims (Doc. 88), by adopting, joining in, and supporting the original Plaintiffs’ motion to dismiss (Doc. 104) and the supporting arguments. The New Intellectual Ventures Parties also adopt, join in, and support the motion for bifurcation of antitrust issues and to stay discovery on those issues (Doc. 112), as well as the arguments in support.

Dated: November 13, 2013

Respectfully submitted,

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and the New Intellectual Ventures Parties

CERTIFICATE OF SERVICE

I hereby certify that on November 13, 2013, I filed the foregoing pleading or paper through the Court's CM/ECF system which sent a notice of electronic filing to the following attorneys for defendants:

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